

(NOTE: Preliminary data – subject to change)

Table XX
Immigrant and Nonimmigrant Visa Ineligibilities
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2005

		<u>Immigrant</u>		<u>Nonimmigrant</u>	
Grounds for Refusal Under the	the Immigration and	Ineligibility	Ineligibility	Ineligibility	Ineligibility
Nationality Act		Finding	Overcome	Finding	Overcome
212(a)(1)(A)(i)	Communicable Disease	798	310	145	95
212(a)(1)(A)(ii)	Immigrant lacking required vaccinations	26	23	0	0
212(a)(1)(A)(iii)	Physical or mental disorder	160	38	26	14
212(a)(1)(A)(iv)	Drug Abuser or Addict	984	8	67	19
212(a)(2)(A)(i)(I)	Crime Involving Moral Turpitude	717	205	4,277	2,373
212(a)(2)(A)(i)(II)	Controlled Substance Violators	421	33	1,873	1,014
212(a)(2)(B)	Multiple Criminal Convictions	55	4	170	54
212(a)(2)(C)(i)	Illicit Trafficker in Any Controlled Substance	177	1	909	252
212(a)(2)(C)(ii)	Spouse, Son, or Daughter Who Benefited from Illicit Activities of Trafficker	6	0	171	7
212(a)(2)(D)(i)	Prostitution (within 10 years)	21	3	23	8
212(a)(2)(D)(ii)	Procuring (within 10 years)	4	1	20	6
212(a)(2)(D)(iii)	Unlawful Commercialized Vice	0	0	2	0
212(a)(2)(H)	Significant traffickers in persons	0	0	2	0
212(a)(2)(I)	Money Laundering	0	0	7	1
212(a)(3)(A)(i)	Espionage, sabotage, technology transfer, etc.	3	0	188	14
212(a)(3)(A)(ii)	Other Unlawful Activity	3	0	41	5
212(a)(3)(B)	Terrorist Activities	10	0	102	37
212(a)(3)(D)	Immigrant Membership in Totalitarian Party	47	12	0	0
212(a)(3)(F)	Association with Terrorist Organizations	0	0	2	1
212(a)(4)	Public Charge	9,559	13,665	1,341	223
212(a)(5)(A)	Labor Certification	11,717	214	0	0
212(a)(5)(B)	Unqualified Physician	1	0	0	0
212(a)(5)(C)	Uncertified foreign health-care workers	3	1	1	0
212(a)(6)(B)	Failure to attend removal proceedings	34	0	6	1
212(a)(6)(C)(i)	Misrepresentation	3,626	565	6,885	742
212(a)(6)(C)(ii)	Falsely claiming citizenship	341	0	571	37
212(a)(6)(E)	Smugglers	501	19	1,339	136
212(a)(6)(F)	Subject of civil penalty (under INA 274C)	0	0	1	0
212(a)(6)(G)	Student visa abusers	2	0	20	6
212(a)(7)(B)	Documentation requirement for nonimmigrants	0	0	42	9
212(a)(8)(A)	Immigrant permanently ineligible for citizenship (IV only)	1	0	0	0
212(a)(8)(B)	Draft evader	1	0	4	3

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Table XX
Immigrant and Nonimmigrant Visa Ineligibilities (Continued)
(by Grounds for Refusal Under the Immigration and Nationality Act)
Fiscal Year 2005

Grounds for Refusal Under the the Immigration and Nationality Act		Immigrant		Nonimmigrant	
		Ineligibility Finding	Ineligibility Overcome	Ineligibility Finding	Ineligibility Overcome
212(a)(9)(A)(i)	Ordered removed upon arrival	551	112	186	19
212(a)(9)(A)(i)	Ordered removed upon arrival - multiple removals	21	1	140	2
212(a)(9)(A)(i)	Ordered removed upon arrival - convicted aggravated felony	9	0	6	0
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding	452	101	161	35
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding multiple removals	63	14	61	6
212(a)(9)(A)(ii)	Ordered removed or departed while removal order outstanding convicted aggravated felony	15	1	22	1
212(a)(9)(B)(i)(I)	Unlawfully present 181-364 days (within 3 years)	393	175	1,553	133
212(a)(9)(B)(i)(II)	Unlawfully present 365 or more days (within 10 years)	6,747	1,973	4,465	302
212(a)(9)(C)	Unlawfully present after previous immigration violations	944	1	383	6
212(a)(10)(A)	Practicing polygamist	21	10,001	0	0
212(a)(10)(C)(2)	Aliens supporting abductors and relatives of abductors	0	0	0	1
212(e)	Certain former exchange visitors	24	10	23	15
212(f)	Presidential proclamation	1	0	249	6
214(b)	Failure to establish entitlement to nonimmigrant status	0	0	1,484,342	28,919
221(g)	Application does not comply with provisions of INA or regulations issued pursuant thereto	270,590	156,433	456,732	399,101
222(g)(2)	Alien in illegal status, required to apply for new NIV in country of alien's nationality	0	0	300	17
212(a)(7)(A)(i)(I)	Immigrant without visa (POE only)	0	0	-1	0
Total Grounds of ineligibility:		309,049	183,924	1,966,857	433,620

The figures at the end of this table show totals of **applications** refused and refusals overcome. The total of applications refused does not necessarily reflect the number of persons refused during the year. One applicant can apply and be found ineligible more than one time in a fiscal year.

At some posts with automated visa systems, the data base does not reflect complete nonimmigrant visa refusals **overcome** statistics. Therefore, the nonimmigrant visa refusals **overcome** figures may be somewhat understated.